

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

\_\_\_\_\_  
UNITED STATES OF AMERICA, )  
ex rel. JOHN M. GREABE, )  
                                )  
                                )  
Plaintiff,                 )  
                                )  
vs.                         )  
                               )  
BLUE CROSS BLUE SHIELD     )                                   C.A. No. 04-11355-MEL  
ASSOCIATION and ANTHEM BLUE )  
CROSS BLUE SHIELD OF NEW    )  
HAMPSHIRE,                 )  
                               )  
Defendants.                 )  
                               )  
\_\_\_\_\_

**CERTIFICATION PURSUANT TO LOCAL RULE 16.1(d)(3)**

Pursuant to Local Rule 16.1(d)(3), Defendant Blue Cross and Blue Shield Association and its counsel hereby certify that they have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Respectfully submitted,

BLUE CROSS AND BLUE SHIELD  
ASSOCIATION,

By its attorneys,

Miller & Chevalier Chartered

/s/ Adam P. Feinberg  
Anthony F. Shelley  
ashelley@milchev.com  
Adam P. Feinberg  
afeinberg@milchev.com  
655 15<sup>th</sup> St., NW  
Suite 900

Washington, D.C. 20005  
Telephone: (202) 626-6800  
Fax: (202) 626-5801

Posternak Blankenstein & Lund LLP  
Nicholas J. Nesgos, BBO #553177  
[nnesgos@pbl.com](mailto:nnesgos@pbl.com)  
Jennifer Finger, BBO #641830  
[jfinger@pbl.com](mailto:jfinger@pbl.com)  
Prudential Tower, 800 Boylston St.  
Boston, MA 02199-8004  
Telephone: (617) 973-6100  
Fax: (617) 367-2315

BLUE CROSS AND BLUE SHIELD  
ASSOCIATION,

/s/ Elizabeth J. Gant  
By: Elizabeth J. Gant, Esquire

Title: Associate Counsel  
Blue Cross and Blue Shield Association

Dated: July 23, 2007